

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:14-CR-7-IBR(3)

UNITED STATES OF AMERICA )

v. )

IKE DAVID SIMMONS )

INDICTMENT

The Grand Jury charges that:

COUNTS ONE THROUGH TEN

(Manufacture of Child Pornography)

In or about July 2013, in the Eastern District of North Carolina, the defendant, IKE DAVID SIMMONS, attempted to, and did employ, use, persuade, induce, entice, and coerce a minor (whose identity is known to the grand jury) to engage in sexually explicit conduct for the purpose of producing the following visual depictions of such conduct:

Count	Image Name
1	Anal.mp4
2	Video0002.mp4
3	Long.mp4
4	Video0004.mp4
5	Video0005.mp4

6	Video0006.mp4
7	Video0007.mp4
8	Saved.avi
9	Video0001(1).mp4
10	Video0003.mp4

These visual depictions were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce; each entry in the above table constituting a separate violation of Title 18, United States Code Sections 2251(a) and (d).

**COUNT ELEVEN**

(Possession of Child Pornography)

On or about August 1, 2013, in the Eastern District of North Carolina, IKE DAVID SIMMONS, the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and computer media containing digital and computer images, the production of which involved the use of a minor engaging in sexually explicit conduct, and which images visually depicted such conduct. The images had been mailed, shipped and transported in interstate and foreign commerce, and were produced using materials which had been mailed, shipped, or

transported in interstate and foreign commerce, by any means including by computer, all in violation of Title 18, United States Code, Section 2252(a)(4)(B).

#### **ALLEGATION OF PRIOR CONVICTIONS**

As to counts 1 through 11:

For purposes of Title 18, United States Code, Section 2251(e), and Title 18, United States Code, Section 2252(b), the defendant has previously been convicted of offenses under military law related to the sexual exploitation of children (including, but not limited to, the possession and receipt of child pornography, sodomy of a child).

#### **FORFEITURE ALLEGATION**

If convicted of one or more of the offenses set forth in counts 1-11 above, IKE DAVID SIMMONS, the defendant herein, shall forfeit to the United States —

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s)

— all pursuant to Title 18, United States Code, Section 2253(a).

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Sections 2253(o) or 1467(n), whichever may be applicable, to seek forfeiture of any other property of said defendant up to the

value of the above forfeitable property.

A TRUE BILL

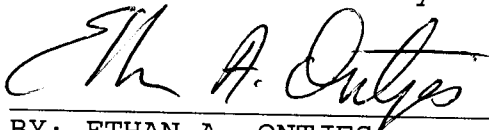
\_\_\_\_\_  
Foreperson

**REDACTED VERSION**

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

Date: 21 JAN 14

THOMAS G. WALKER  
United States Attorney



BY: ETHAN A. ONTJES  
Assistant United States Attorney  
Criminal Division